

# NOTICE OF EMERGENCY RULE PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

**RULE PROMULGATION:** DMR Regulation 95.03 UU, Closed Area No. 17-F, Potts Harbor, Harpswell, is promulgated.

TEXT OF RULE: DMR Regulation 95.03 UU, Closed Area No. 17-F, Potts Harbor, Harpswell.

- 1) Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters and mussels from all shores, flats and waters of Potts Harbor, Harpswell, east of a line beginning at Basin Point, then extending 400 yards northwest to a prominent ledge; then extending northeast to the shore by Juniper Lane.
- 2) Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters and mussels from all shores, flats and waters of Potts Harbor, Harpswell, north of a line beginning at Basin Point, then extending northeast to Ash Point; AND south of a line beginning at the end of Bufflehead Lane on the west shore of Basin Cove, then extending southeast to the marina landing on the east shore.
- 3) Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters and mussels from all shores, flats and waters of Potts Harbor, Harpswell, east of a line beginning at the south end of the causeway in South Harpswell (approximately 3800 feet north of Potts Point by Estes Restaurant), then extending southwest to navigational buoy C"13", then southeast to Potts Point.

EFFECTIVE DATE: January 29, 2004

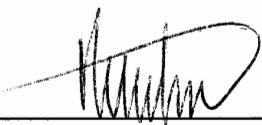
AGENCY CONTACT PERSON: Amy M. Fitzpatrick  
Department of Marine Resources  
State House Station #21  
Augusta, ME 04333

Portland Press Herald  
February 2, 2004

## STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources promulgates the emergency DMR Regulation 95.03 UU, Closed Area No. 17-F, Potts Harbor, Harpswell. This new regulation describes the two closures at Basin Point and one on the west side of Potts Point, which were previously described in Closed Area No. 18. This is an administrative change.

The closed areas are subject to microbiological pollution from point and non-point sources, which pose a threat to public health.

  
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DAVID ETNIER  
DEPUTY COMMISSIONER

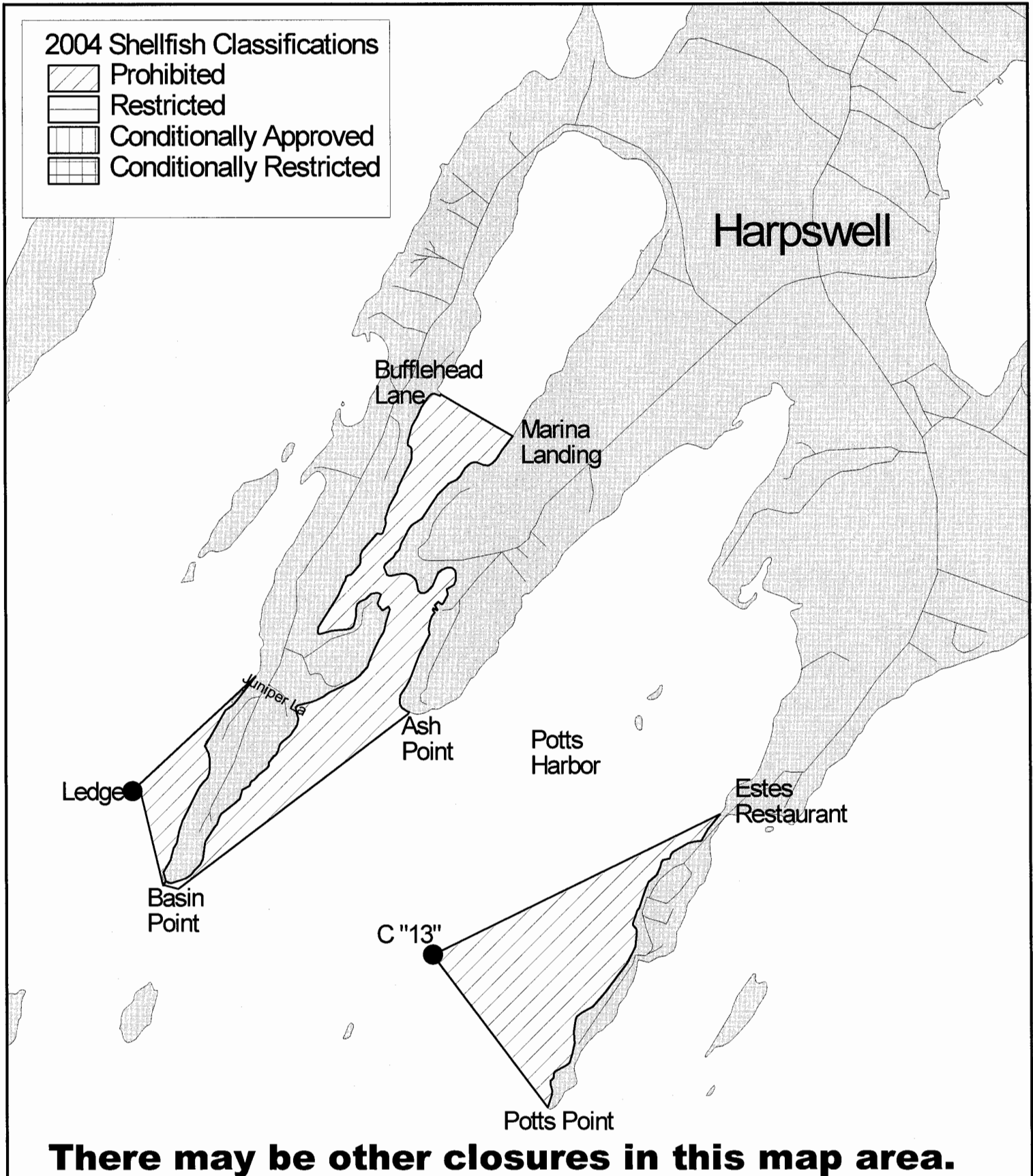


# Maine Department of Marine Resources

## Legal Notice of Shellfish Closure Area

C17-F, Potts Harbor, Harpswell

1/29/04



0.3 0 0.3 0.6 Miles